

1 Filed by:
2 Fred E. McKelvey
3 Senior Administrative Patent Judge
4 Board of Patent Appeals and Interferences
5 Mail Stop Interference
6 P.O. Box 1450
7 Alexandria, VA 22313-1450
8 Tel: 571-272-4683
9 Fax: 571-273-0042

10 UNITED STATES PATENT AND TRADEMARK OFFICE

11
12
13
14 BEFORE THE BOARD OF PATENT APPEALS
15 AND INTERFERENCES
16

17
18 STEVEN P. **NOLAN** and JINKUN HUANG,
19

20 Junior Party
21 (Application 09/392,869),
22

23 v
24

25 ROBERT H. **GRUBBS** and MATTHIAS SCHOLL,
26

27 Senior Party
28 (Application 09/576,370).
29

30
31 Patent Interference 105,373 (McK)
32 Technology Center 1600
33

34
35 Entered: 5 June 2007
36
37

38 **ORDER REDECLARING INTERFERENCE**

Upon consideration of the ORDER GRANTING NOLAN
SUBSTANTIVE MOTION 3 (Paper 76), the interference is redeclared as
follows.

The claims of the parties are:

Nolan:

9

11-14

17-21

23-40

43-65

71-73

77-111

Grubbs:

1-64

The claims of the parties designated as corresponding to Count 2 are:

Nolan:

9

11-13

23-24

27-30

39-40

45-46

51-52

55-56

59

61

71

73

77

89

91

107-109

Grubbs:

1-39

41-64

1 The claims of the parties which are designated as *not* corresponding to
2 Count 2 are:

3	Nolan:
4	14
5	17-21
6	25-26
7	31-38
8	43-44
9	47-50
10	53-54
11	57-58
12	60
13	62-65
14	72
15	78-88
16	90
17	92-106
18	110-111

19	
20	Grubbs:
21	40

1 cc (via Electronic Mail):

2
3 Attorney for Grubbs

4 (real party in interest California Institute of Technology;
5 licensee: Materia, Inc. and Lexicon Pharmaceuticals
6 (New Jersey), Inc.):

7
8 Michael L. Goldman, Esq.
9 NIXON PEABODY LLP
10 1300 Clinton Square
11 Rochester, NY 14604

12
13 Tel: 585-263-1304
14 Fax: 585-263-1600

15
16 Ronald I. Eisenstein, Esq.
17 NIXON PEABODY LLP
18 100 Summer St.
19 Boston, MA 02110

20
21 Tel: 617-345-6054
22 Fax: 617-345-1300
23 Email: mgoldman@nixonpeabody.com
24 Email: reisenstein@nixonpeabody.com

25
26 Attorney for Nolan
27 (real party in interest
28 University of New Orleans Foundation):

29
30 R. Andrew Patty II, Esq.
31 Mary H. Drabnis, Esq.
32 SIEBERTH & PATTY, L.L.C.
33 4703 Bluebonnet Blvd.
34 Baton Rouge, LA 70809

35
36 Tel: 225-291-4600
37 Tel: 225-291-4606
38 Email: rap@spiplaw.com
39 Email: mhd@spiplaw.com
40